

Message Text

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15

ACTION HEW-06

INFO OCT-01 EA-10 ISO-00 OES-05 L-02 EB-07 COME-00 OMB-01

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R 240651Z FEB 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 8185

UNCLAS TOKYO 2331

DEPT PASS TO NIH FOR ROBERT S. TOWNSEN, NATIONAL CANCER INSTITUTE
CONTRACT SPECIALIST

E.O. 11652: N/A

TAGS: TBIO, OSCI, JA, US

SUBJECT: PROPOSED PHS/NIH RESEARCH CONTRACT WITH AKIRA KOBATA

REF: TOKYO 12998

1. EMBOFFS MET OFFICIALS OF FONOFF AND MINISTRY OF EDUCATION (MOE) FEBRUARY 13 TO REVIEW KOBATA CONTRACT. AFTER MEETING, EMBOFF'S JUDGEMENT WAS THAT PROGRESS IN GOJ CONSIDERATION THIS CONTRACT WILL BE SOL SLOW THAT WE SEE LITTLE PROSPECT GOJ WILL ACCEPT CONTRACT IN TIME FRAME NATIONAL CANCER INSTITUTE (NCI) DESIRES.
2. EMBOFFS HAVE VIGOROUSLY ATTEMPTED TO SELL NEW FIXED-PRICE CONTRAIO BUT EMBASSY ANALYSIS IS THAT IT DOES NOT OVERCOME ENOUGH OF GOJ'S PAST OBJECTIONS. EMBASSY WOULD APPRECIATE LEARNING WHETHER WASHINGTON REVIEW OF THIS CONTRACT MAKES POSSIBLE ELIMINATING ARTICLE TEN OF GENERAL PROVISIONS ("EXAMINATION OF RECORDS"). EMBASSY ANALYSIS INDICATES THIS PROVISION WILL BE ESPECIALLY TROUBLESOME TO GOJ. EMBOFFS' UNDERSTANDING IS THAT FIXED-PRICE CONTRACTS AWARDED ON BASIS OF ADVERTISING DO NOT REQUIRE RIGHT TO AUDIT. EMBASSY URGES THAT HEW CONSIDER FINDING THAT THIS CONTRACT MEETS ADVERTISING REQUIREMENT OR THAT ITS INTERNATIONAL CHARACTER ALLOWS ELIMINATION OF AUDIT PROVISION.

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3. EMBOFFS HAVE ALSO HEARD FROM OTHER OFFICERS EXPERIENCED IN CONTRACTING IN JAPAN THAT ARTICLE TEN, B., 2), (B) OF SPECIALC PROVISIONS IS FREQUENTLY HARD FOR GOJ AGENCIES TO ACCEPT. EMBASSY RECOMMENDS ITS ELIMINATION, OR MODIFICATION INDICATING THAT EQUIPMENT WILL REMAIN WITH RESEARCHER, WHICH WE UNDERSTAND IS USUAL PRACTICE.

4. PLEASE ADVISE ON ABOVE POINTS.
HODGSON

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NNN

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